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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,766	09/17/2003	Kamiya Takuroh	242591US2	3841
22850	7590	09/22/2006		
C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER CHARLES, MARCUS				
ART UNIT			PAPER NUMBER	
3682				

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/663,766

**Applicant(s)**

TAKUROH ET AL.

**Examiner**

Marcus Charles

**Art Unit**

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 11-20 and 22-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :9/17/03, 6/15/04, 11/16/05, 3/15/06, 4/21/05, 8/27/04, 9/08/04 and 3/01/05.

### **DETAILED ACTION**

This is the first action relating to serial application number 10/663,766 filed 09/17/2003 and to the election filed 7/25/2006. Claims 1-30 are currently pending.

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Drawings***

2. The examiner has accepted the drawing filed with this application as formal drawing.

#### ***Election/Restrictions***

3. Applicant's election with traverse of claims 1-10 in the reply filed on 7/25/2006 is acknowledged. The traversal is on the ground(s) that it would be a burden to the examiner even if the invention is directed to independent inventions. This is not found persuasive because each independent invention would require separate search because each invention requires includes specific limitation the other does not require and the search for each different element in separate classes would be burdensome and time consuming to the examiner. However, upon further consideration, claim 21, is rejoin so as to be examined.

The requirement is still deemed proper and is therefore made FINAL.

4. Claims 11-20 and 22-30 withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable

generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 7-25-2006.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-10 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kayahara et al. (6,269,228). Regarding claim 1 and 21, in figs. 21-22 and 24/36 respectively, Kayahara et al. discloses a belt drive comprising a plurality of rollers (12, 123, 122, 125)/(22-25, as in fig. 36) including a driving roller (227)/(24, as in fig. 36)); a belt (221) (20a, fig. 36) configured to be tensioned by the rollers and to be driven by the driven roller (227)/(24, in fig. 36)); the driving roller is arranged adjacent to an outside body (761)/(100, fig. 36) that contacts the outer surface of the belt.

In claim 2, note the driving roller (227) is arranged opposite the outside body (761) across the belt.

In claim 3, note in fig. 21-22), the outside body is a cleaning blade (col. 36, lines 5-16).

In claim 5, note Kayahara et al. discloses the claimed invention.

In claim 6, note the recording medium (100).

In claim 7, note in fig. 36) the outside body is a recording medium (100).

In claim 8, note the rollers (42, fig. 24).

In claim 9, note the item 33, is apparently an absorbing member that absorbed the movement of the transfer roller when the drive roller contacts the outside body.


In claim 10, it is apparent that the resonant frequency of the absorbing member is different from periodic frequency of vibration caused by the contacts of the outer surface of the belt.

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sugino et al. (US 2003/0035660) discloses a driving roller in adjacent a cleaning unit (17) across the belt. Sasaki et al. (5,515,145) discloses the driving roller adjacent the roller (14) from across the belt. Sugimoto et al. (5,510,886), Takeuchi et al. (6,175,702) discloses an image forming apparatus with a driving roller and a transfer roller and a recording medium therebetween. Adachi et al. (US2003/0175052) discloses image-forming device with a drive roller, a drive belt and cleaning device adjacent the driving roller.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Charles whose telephone number is (571) 272-7101. The examiner can normally be reached on Monday-Thursday 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ridley Richard can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

  
Marcus Charles  
Primary Examiner  
September 07, 2006  
AU: 3682